

Charges against activists are dropped halfway through court case on technicality

'Squatting' charges are dropped

by TOM FOOT

CRIMINAL charges against a group of housing campaigners who had occupied a council-owned house that was sold off at auction were dropped halfway through a trial at Highbury Magistrates' Court.

District Judge Williams ruled on Tuesday that Yanis Nikou, 27, and Fatima Pita, 28, had "no case to answer" after their defence barrister raised an "essential" legal argument on day one of the two-day hearing.

The pair had been evicted by police while protesting against the sale of 11 Southampton Road, Gospel Oak, by Camden

Council at auction in the Grosvenor Hotel in February.

They were facing criminal charges under new squatting laws but the prosecution could not prove they were in the building illegally because the new owner of the building was "not known to the court".

District Judge Williams ruled: "When the hammer falls, the property passes over to a new owner, and so does authority for permission to be in the property. I do not know who the new owner is. Therefore tres-



Protest outside Highbury Magistrates' Court

pass cannot be provided. Since this is an essential element in this case, I rule there is no case to answer."

Mr Nikou and Ms Pita,

two flats above – on February 25.

The court heard that a Camden Council official had contacted the police about "squatters" hours after the building was sold at auction with two other houses on the same parade for £2.4million.

But the activists had argued that the new laws allowing evictions, known as LAPSO Section 144, did not apply to them because they were not technically squatting in the building.

The protesters said their system of swapping occupying duties on a 12-hour rota system meant they were only "occupy-

ing" the building for a "political protest".

The court heard that there was no fridge in the building and that the activists were surviving purely on sandwiches from the food chain Eat.

Outside court, Mr Nikou said: "It is disappointing in a way because we wanted to test the law on this and in the end we have got off on a technicality. There is always next time though."

Both activists – represented by protest specialist barrister Owen Greenhall, acting for Bindmans solicitors – were awarded £10 each in travel expenses.